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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/789,461

02/26/2004

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23682-07629

5169

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7590

12/21/2007

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EXAMINER

KESSLER, MATTHEW E

ART UNIT

PAPER NUMBER

4121

MAIL DATE

DELIVERY MODE

12/21/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/789,461	Applicant(s) MARSTON ET AL.
	Examiner MATTHEW E. KESSLER	Art Unit 4121

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 2/26/2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 26 February 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>2/2/2006, 7/14/2004</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-32 are pending.
2. Claims 1-32 are rejected.

Drawings

3. The drawings are objected to under 37 CFR 1.83(a) because they fail to show submessage 32 in Fig. 3 as described in the specification in paragraph [0042]. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 1-32 are rejected under 35 U.S.C. 102(b) as being anticipated by Ahmed et. al. European Patent Application Number EP1085444 (hereinafter Ahmed).

As to claim 1, Ahmed teaches a messaging system for providing messaging to end-users, the system comprising (Ahmed teaches in the abstract “systems and methods for providing electronic messaging services to multiple users”.):

a data store module for storing messages sent among the end-users, wherein each message includes one or more submessages and wherein the data store stores the messages and submessages in a relational manner (In paragraph [0015] Ahmed teaches “a message-specific storage mechanism to hold the original message as well as all subsequent replies to that initial message”. The replies in Ahmed's teaching are submessages which are stored relationally to the original message. Replies are associated with an earlier message by assigning an identifier to the initial electronic message, see also paragraph [0016] and [0045] disclosing a tree structure or other structural assignment.).

As to claim 2, Ahmed teaches the messaging system of claim 1, wherein the data store module comprises:

a contents module adapted to store submessages of the messages sent among the end-users, wherein a message sent by a sender to a recipient includes one or more references to submessages in the contents module (In paragraph [0015] Ahmed teaches "electronic messages that are replies are associated with their corresponding initial message by being placed in the storage mechanism previously created for each particular message." Ahmed also teaches in paragraph [0015] that "replies may be associated with an earlier message by assigning an identifier to the initial electronic message.").

As to claim 3, Ahmed teaches the messaging system of claim 2, wherein the contents module stores a plurality of submessages and wherein certain ones of the submessages are created by different end-users at different times (Ahmed's systems and methods are taught in regards to multiple end users, where replies are sent in regards to a particular initial message, see the abstract. It is understood that these replies, i.e. submessages, are created by different users, useful for communicating between one another. Additionally, paragraph [0015] teaches "replies may be associated with an earlier message by assigning an identifier to the initial message." Since the messages are related to an earlier message, it is clear that they are created at different times.).

As to claim 4, Ahmed teaches the messaging system of claim 1, wherein the data store module stores only a single version of each message and/or submessage (In paragraph [0012]-[0013] teaches "the host system stores as few as one copy of the electronic message".).

As to claim 5, Ahmed teaches the messaging system of claim 1, further comprising:
an attributes module for storing attributes of the messages and/or submessages in the data store (In paragraphs [0015]-[0016] Ahmed teaches that an identifier is assigned to each message and stored with the message. This identifier is understood as an attribute which is being stored. In paragraphs [0042]-[0043] Ahmed teaches the use of rules associated with the messages. In paragraph [0042] Ahmed teaches that the electronic messaging services comprise rules, i.e. attributes, which govern access and handling of the message. Some determine whether or not a message can be accessed as well as determining the lifetime of the message. Ahmed also teaches "the rules may be defined as default rules to be used by the electronic messaging services or they may be defined on a message by message basis. It is understood that certain rules are message specific and it is understood that inherent to having these rules operate in their disclosed function, they would need to be stored somewhere.).

As to claim 6, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is retained (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches

Art Unit: 4121

"revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 7, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is valid (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 8, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating security information for a message and/or submessage (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message." Paragraph [0043] teaches "rules may also indicate if the lifetime of message 180 can be extended and who is authorized to make an extension." Authorizing a user to make an extension is security information for the message.).

As to claim 9, Ahmed teaches the messaging system of claim 5, wherein the attributes module is adapted to store an attribute indicating whether a message and/or submessage can be viewed by a given end-user (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message" and that "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 10, Ahmed teaches the messaging system of claim 1, further comprising:
a relationships module for holding data describing relationships among the messages and submessages (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches “in order to associate replies with the message that prompted them, each initial message is assigned a message identifier” and that the “message identifier allows electronic messaging services of the host system to group replies by subject matter.”).

As to claim 11, Ahmed teaches the messaging system of claim 10, wherein the relationships module is adapted to hold data describing submessages within a message (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches “in order to associate replies with the message that prompted them, each initial message is assigned a message identifier” and that the “message identifier allows electronic messaging services of the host system to group replies by subject matter.” It is interpreted that the data describing the replies are its relational association with the initial message.).

As to claim 12, Ahmed teaches the messaging system of claim 1, further comprising: a client interface module for interfacing with client applications utilized by the end-users to access the messaging system (In paragraph [0034] Ahmed teaches the messaging services being

Art Unit: 4121

provided to clients. Inherent to the client accessing the services would be applications which utilize the services.).

As to claim 13, Ahmed teaches a computer program product comprising (Ahmed teaches in paragraph [0027] that “embodiments within the scope of the present invention also include computer-readable media having computer-executable instructions or data structures stored thereon.”):

a computer-readable medium having computer program logic embodied therein for providing messaging to end-users, the system comprising (Ahmed teaches in paragraph [0027] that “embodiments within the scope of the present invention also include computer-readable media having computer-executable instructions or data structures stored thereon.” The embodiments are in regards to the messaging services.):

a data store module for storing messages sent among the end-users, wherein each message includes one or more submessages and wherein the data store stores the messages and submessages in a relational manner (In paragraph [0015] Ahmed teaches “a message-specific storage mechanism to hold the original message as well as all subsequent replies to that initial message”. The replies in Ahmed's teaching are submessages which are stored relationally to the original message. Replies are associated with an earlier message by assigning an identifier to the initial electronic message, see also paragraph [0016] and [0045] disclosing a tree structure or other structural assignment.).

As to claim 14, Ahmed teaches the computer program product of claim 13, wherein the data store module comprises:

a contents module adapted to store submessages of the messages sent among the end-users, wherein a message sent by a sender to a recipient includes one or more references to submessages in the contents module (In paragraph [0015] Ahmed teaches "electronic messages that are replies are associated with their corresponding initial message by being placed in the storage mechanism previously created for each particular message." Ahmed also teaches in paragraph [0015] that "replies may be associated with an earlier message by assigning an identifier to the initial electronic message.").

As to claim 15, Ahmed teaches the computer program product of claim 14, wherein the contents module stores a plurality of submessages and wherein certain ones of the submessages are created by different end-users at different times (Ahmed's systems and methods are taught in regards to multiple end users, where replies are sent in regards to a particular initial message, see the abstract. It is understood that these replies, i.e. submessages, are created by different users, useful for communicating between one another. Additionally, paragraph [0015] teaches "replies may be associated with an earlier message by assigning an identifier to the initial message." Since the messages are related to an earlier message, it is clear that they are created at different times.).

As to claim 16, Ahmed teaches the computer program product of claim 13, wherein the data store module stores only a single version of each message and/or submessage (In paragraph [0012]-[0013] teaches "the host system stores as few as one copy of the electronic message".).

As to claim 17, Ahmed teaches the computer program product of claim 13, further comprising:

an attributes module for storing attributes of the messages and/or submessages in the data store (In paragraphs [0015]-[0016] Ahmed teaches that an identifier is assigned to each message and stored with the message. This identifier is understood as an attribute which is being stored. In paragraphs [0042]-[0043] Ahmed teaches the use of rules associated with the messages. In paragraph [0042] Ahmed teaches that the electronic messaging services comprise rules, i.e. attributes, which govern access and handling of the message. Some determine whether or not a message can be accessed as well as determining the lifetime of the message. Ahmed also teaches "the rules may be defined as default rules to be used by the electronic messaging services or they may be defined on a message by message basis. It is understood that certain rules are message specific and it is understood that inherent to having these rules operate in their disclosed function, they would need to be stored somewhere.).

As to claim 18, Ahmed teaches the computer program product of claim 17, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is retained (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches

Art Unit: 4121

"revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 19, Ahmed teaches the computer program product of claim 17, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is valid (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 20, Ahmed teaches the computer program product of claim 17, wherein the attributes module is adapted to store an attribute indicating security information for a message and/or submessage (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message." Paragraph [0043] teaches "rules may also indicate if the lifetime of message 180 can be extended and who is authorized to make an extension." Authorizing a user to make an extension is security information for the message.).

As to claim 21, Ahmed teaches the computer program product of claim 17, wherein the attributes module is adapted to store an attribute indicating whether a message and/or submessage can be viewed by a given end-user (In paragraph [0042] Ahmed teaches "the electronic messaging services also comprise rules for governing access to a message" and that

Art Unit: 4121

"revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 22, Ahmed teaches the computer program product of claim 13, further comprising:

a relationships module for holding data describing relationships among the messages and submessages (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches "in order to associate replies with the message that prompted them, each initial message is assigned a message identifier" and that the "message identifier allows electronic messaging services of the host system to group replies by subject matter.").

As to claim 23, Ahmed teaches the computer program product of claim 22, wherein the relationships module is adapted to hold data describing submessages within a message (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches "in order to associate replies with the message that prompted them, each initial message is assigned a message identifier" and that the "message identifier allows electronic messaging services of the host system to group replies by subject matter." It is interpreted that the data describing the replies are its relational association with the initial message.).

As to claim 24, Ahmed teaches the computer program product of claim 13, further comprising:

a client interface module for interfacing with client applications utilized by the end-users to access the messaging system (In paragraph [0034] Ahmed teaches the messaging services being provided to clients. Inherent to the client accessing the services would be applications which utilize the services.).

As to claim 25, Ahmed teaches a computer-implemented method of providing messaging to end-users, comprising (Ahmed teaches in the abstract “systems and methods for providing electronic messaging services to multiple users”.):

storing messages sent among the end-users in a data store of a messaging system, wherein each message includes one or more submessages and wherein the data store stores the messages and submessages in a relational manner (In paragraph [0015] Ahmed teaches “a message-specific storage mechanism to hold the original message as well as all subsequent replies to that initial message”. The replies in Ahmed's teaching are submessages which are stored relationally to the original message. Replies are associated with an earlier message by assigning an identifier to the initial electronic message, see also paragraph [0016] and [0045] disclosing a tree structure or other structural assignment.).

As to claim 26, Ahmed teaches the computer-implemented method of claim 25, further comprising:

defining an attributes module in the messaging system, the attributes module for storing attributes of the messages and/or submessages in the data store (In paragraphs [0015]-[0016] Ahmed teaches that an identifier is assigned to each message and stored with the message. This identifier is understood as an attribute which is being stored. In paragraphs [0042]-[0043] Ahmed teaches the use of rules associated with the messages. In paragraph [0042] Ahmed teaches that the electronic messaging services comprise rules, i.e. attributes, which govern access and handling of the message. Some determine whether or not a message can be accessed as well as determining the lifetime of the message. Ahmed also teaches "the rules may be defined as default rules to be used by the electronic messaging services or they may be defined on a message by message basis. It is understood that certain rules are message specific and it is understood that inherent to having these rules operate in their disclosed function, they would need to be stored somewhere.).

As to claim 27, Ahmed teaches The computer-implemented method of claim 26, wherein the attributes module is adapted to store an attribute indicating a length of time that a message and/or submessage is retained (In paragraph [0043] Ahmed teaches "the electronic messaging services may also include rules for determining the lifetime of a message." Paragraph [0042] teaches "revocation may be accompanied by a message indication that message is no longer available to the client.").

As to claim 28, Ahmed teaches The computer-implemented method of claim 26, wherein the attributes module is adapted to store an attribute indicating a length of time that a message

Art Unit: 4121

and/or submessage is valid (In paragraph [0043] Ahmed teaches “the electronic messaging services may also include rules for determining the lifetime of a message.” Paragraph [0042] teaches “revocation may be accompanied by a message indication that message is no longer available to the client.”).

As to claim 29, Ahmed teaches the computer-implemented method of claim 26, wherein the attributes module is adapted to store an attribute indicating security information for a message and/or submessage (In paragraph [0042] Ahmed teaches “the electronic messaging services also comprise rules for governing access to a message.” Paragraph [0043] teaches “rules may also indicate if the lifetime of message 180 can be extended and who is authorized to make an extension.” Authorizing a user to make an extension is security information for the message.).

As to claim 30, Ahmed teaches the computer-implemented method of claim 26, wherein the attributes module is adapted to store an attribute indicating whether a message and/or submessage can be viewed by a given end-user (In paragraph [0042] Ahmed teaches “the electronic messaging services also comprise rules for governing access to a message” and that “revocation may be accompanied by a message indication that message is no longer available to the client.”).

As to claim 31, Ahmed teaches the computer-implemented method of claim 25, further comprising:

defining a relationships module in the messaging system, the relationships module for holding data describing relationships among the messages and submessages (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches “in order to associate replies with the message that prompted them, each initial message is assigned a message identifier” and that the “message identifier allows electronic messaging services of the host system to group replies by subject matter.”).

As to claim 32, Ahmed teaches the computer-implemented method of claim 31 (Ahmed teaches all of the limitations of claim 31), wherein the relationships module is adapted to hold data describing submessages within a message (In paragraph [0044] Ahmed teaches the organizational components of the systems and methods employed in the messaging services. In Ahmed's description of Fig. 5, Ahmed teaches “in order to associate replies with the message that prompted them, each initial message is assigned a message identifier” and that the “message identifier allows electronic messaging services of the host system to group replies by subject matter.” It is interpreted that the data describing the replies are its relational association with the initial message.).

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

Kenner et al., Patent Number 6003030, directed to system and method for optimized storage and retrieval of data on a distributed network;

Kennedy, Patent Number 6134582, directed to a system and method for managing electronic mail;

Kenner et al., Patent Number 6154744, directed to a system and method for optimized storage and retrieval of data on a distributed network;

Rowen, Patent Application Number 2002/0122543, directed to a system and method for indexing unique electronic messages;

Al-Kazily et al., Patent Application Number 2002/0136279, directed to an automatic information collection system;

Putzolu, Patent Number 6578076, directed to a policy based network management system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Kessler whose telephone number is (571)270-5005. The examiner can normally be reached on Monday through Friday 7:30 am - 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Taghi Arani can be reached on (571)272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 4121

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/MEK/

/Taghi T. Arani/

Supervisory Patent Examiner, Art Unit 4121

12/17/2007